

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Trevor Hackett	Team: Squad #13	CCRB Case #: 201904544	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 05/26/2019 5:15 PM	Location of Incident: Saint Marks Avenue and Kingston Avenue	Precinct: 77	18 Mo. SOL 11/26/2020	EO SOL 7/13/2021	
Date/Time CV Reported Sun, 05/26/2019 5:40 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Sun, 05/26/2019 5:40 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Rochael Vasquez	10909	960049	077 PCT
2. POM Ashley Griffith	19021	958654	077 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Rochael Vasquez	Abuse: Police Officer Rochael Vasquez stopped the vehicle in which § 87(2)(b) was an occupant.	
B.POM Ashley Griffith	Abuse: Police Officer Ashley Griffith stopped the vehicle in which § 87(2)(b) was an occupant.	
C.POM Rochael Vasquez	Abuse: Police Officer Rochael Vasquez searched the vehicle in which § 87(2)(b) was an occupant.	
D.POM Rochael Vasquez	Abuse: Police Officer Rochael Vasquez frisked § 87(2)(b)	
E.POM Rochael Vasquez	Abuse: Police Officer Rochael Vasquez refused to provide his shield number to § 87(2)(b)	
F.POM Ashley Griffith	Abuse: Police Officer Ashley Griffith refused to provide his name to § 87(2)(b)	
G.POM Ashley Griffith	Abuse: Police Officer Ashley Griffith refused to provide his shield number to § 87(2)(b)	
H.POM Rochael Vasquez	Abuse: Police Officer Rochael Vasquez failed to provide § 87(2)(b) with a business card.	
I.POM Ashley Griffith	Abuse: Police Officer Ashley Griffith failed to provide § 87(2)(b) with a business card.	
§ 87(4-b), § 87(2)(g)		
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Case Summary

On May 26, 2019, § 87(2)(b) filed this complaint via the CCRB website.

On May 26, 2019, § 87(2)(b)'s vehicle was pulled over in front of 928 Saint Marks Avenue in Brooklyn, by PO Rochael Vasquez and PO Ashley Griffith, both of the 77th Precinct (**Allegation A and B – Abuse of Authority**, § 87(2)(g)). PO Vasquez frisked § 87(2)(b) (**Allegation C – Abuse of Authority**, § 87(2)(g)) and searched § 87(2)(b)'s vehicle (**Allegation D – Abuse of Authority**, § 87(2)(g)). § 87(2)(b) asked the officers for their names and shield numbers. PO Vasquez only provided his name (**Allegation E – Abuse of Authority**, § 87(2)(g)), and PO Griffith did not provide his name or shield number (**Allegations F and G - Abuse of Authority**, § 87(2)(g)). Neither officer provided § 87(2)(b) with a business card (**Allegations H and I- Abuse of Authority**, § 87(2)(g)). § 87(4-b), § 87(2)(g)

No arrest or summons resulted from this incident.

There is no video evidence in this case § 87(4-b), § 87(2)(g)

Findings and Recommendations

Allegation A – Abuse of Authority: Police Officer Rochael Vasquez stopped the vehicle in which § 87(2)(b) was an occupant.

Allegation B – Abuse of Authority: Police Officer Ashley Griffith stopped the vehicle in which § 87(2)(b) was an occupant.

Allegation C – Abuse of Authority: Police Officer Rochael Vasquez frisked § 87(2)(b)

Allegation D – Abuse of Authority: Police Officer Rochael Vasquez searched the vehicle in which § 87(2)(b) was an occupant.

Allegation E – Abuse of Authority: Police Officer Rochael Vasquez refused to provide his shield number to § 87(2)(b)

Allegation F – Abuse of Authority: Police Officer Ashley Griffith refused to provide his name to § 87(2)(b)

Allegation G - Abuse of Authority: Police Officer Ashley Griffith refused to provide his shield number to § 87(2)(b)

Allegation H – Abuse of Authority: Police Officer Rochael Vasquez failed to provide § 87(2)(b) with a business card.

Allegation I – Abuse of Authority: Police Officer Ashley Griffith failed to provide § 87(2)(b) with a business card.

§ 87(2)(b) testified that he was driving alone when his vehicle was pulled over by PO Vasquez and PO Griffith. PO Vasquez told § 87(2)(b) that his car had been involved in a hit-and-run, which § 87(2)(b) denied. PO Vasquez then said the officers had pulled him over because he had failed to signal when he turned onto Saint Marks Avenue, which § 87(2)(b) denied. PO Vasquez ordered § 87(2)(b) to exit his vehicle and stand at the rear of the car, and § 87(2)(b) complied. § 87(2)(b) told the officers that he knew they had been following him. He did not understand why the officers were providing different reasons for the car stop and asked that they clarify the reason. § 87(2)(b) asked the officers, if he was involved in a hit-and-run, why they were not arresting him, and if he failed to use his turn signal, why they were not issuing him a summons.

PO Vasquez asked § 87(2)(b) for permission to search § 87(2)(b)'s car. § 87(2)(b) said he did not consent to a search of him or his car. PO Vasquez frisked § 87(2)(b)'s legs, arms, and torso. PO Vasquez walked toward § 87(2)(b)'s car and searched it. § 87(2)(b) and PO Griffith remained at

the rear of the car. § 87(2)(b) was facing away from his car and did not see PO Vasquez enter or search the car, but he was certain that PO Vasquez did so because this is what § 87(2)(b) believed PO Vasquez intended to do. § 87(2)(b) did not hear PO Vasquez search through his vehicle or see anything out of place when he returned. PO Vasquez returned to § 87(2)(b) and said he could leave. As the officers were walking back to their vehicle, § 87(2)(b) asked for their names and shield numbers. PO Vasquez verbally provided his name but did not provide his shield number. PO Griffith did not acknowledge § 87(2)(b)'s request. Neither PO Vasquez nor PO Griffith provided § 87(2)(b) with a business card (**Board Review 01**).

PO Vasquez and PO Griffith did not recall this incident (**Board Review 02, 03**), though warrant audit results from the IAB-CCRB Liaison's Unit confirmed that PO Vasquez used his phone to conduct a warrant search for § 87(2)(b) at the time of this incident, and the 77th Precinct roll call confirmed that he was partnered with PO Griffith at the time of the incident (**Board Review 04, 05**).

§ 87(2)(g)

[REDACTED]

§ 87(4-b), § 87(2)(g)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- This is the first CCRB complaint to which § 87(2)(b) has been a party (**Board Review 08**).
- PO Vasquez has been a member of service for four years and has been a subject in 10 additional CCRB complaints, comprised of 27 allegations, two of which were substantiated.
 - #201806017 involved a vehicle stop allegation. The CCRB recommended formalized training and the NYPD imposed no penalty.
 - #201906017 involved a property damage allegation. The CCRB recommended formalized training. The NYPD disposition is pending.
- PO Griffith has been a member of service for four years and has been a subject in eight additional CCRB complaints, comprised of 36 allegations, one of which was substantiated.
 - #201906017 involved a property damage allegation. The CCRB recommended formalized training. The NYPD disposition is pending.

- On July 31, 2019, this case was sent to mediation and on November 8, 2019 the case was returned for an investigation.
- As of January 28, 2020, the New York City Office of the Comptroller has no record of a Notice of Claim being filed regarding this incident (**Board Review 09**).

- § 87(2)(b) [REDACTED]

Investigator:	<u> </u>	<u>Inv. Trevor Hackett</u>	<u>09/08/2020</u>
	Signature	Print Title & Name	Date
Squad Leader:	<u> </u>	<u>IM Laura Kastner</u>	<u>09/08/2020</u>
	Signature	Print Title & Name	Date